

**To:** Boydston, Michael[Boydston.Michael@epa.gov]  
**From:** Ward, W. Robert  
**Sent:** Thur 8/20/2015 1:06:57 PM  
**Subject:** Fwd: PRIORITY 1 Congressional Requests. Responses Needed ASAP

**Attorney Client/Ex. 5**

W. Robert Ward  
Regional Counsel  
Region 8  
Confidential - Privileged

Begin forwarded message:

**From:** "Russo, Rebecca" <Russo.Rebecca@epa.gov>  
**Date:** August 19, 2015 at 5:44:40 PM MDT  
**To:** "Ward, W. Robert" <Ward.Robert@epa.gov>  
**Cc:** "Bohan, Suzanne" <bohan.suzanne@epa.gov>  
**Subject:** Fwd: PRIORITY 1 Congressional Requests. Responses Needed ASAP

**Attorney Client/Ex. 5**

Sent from my iPhone

Begin forwarded message:

**From:** "Levine, Carolyn" <Levine.Carolyn@epa.gov>  
**Date:** August 19, 2015 at 4:38:47 PM MDT  
**To:** "Russo, Rebecca" <Russo.Rebecca@epa.gov>  
**Subject:** FW: Re: PRIORITY 1 Congressional Requests. Responses Needed ASAP

Rebecca,

**Attorney Client/Ex. 5**

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*Carolyn Levine*

*Office of Congressional and Intergovernmental Relations*

*U.S. EPA*

*(202) 564-1859*

*[levine.carolyn@epa.gov](mailto:levine.carolyn@epa.gov)*

**From:** Urdiales, Aaron

**Sent:** Friday, August 14, 2015 10:01 PM

**To:** Russo, Rebecca

**Cc:** Stavnes, Sandra; Madigan, Andrea; Land, Kelcey; Sisk, Richard; Bohan, Suzanne; Piggott, Amelia; Williams, Laura; Ostrander, David; EOC Liaison; Acevedo, Janie; Levine, Carolyn; Smith, Paula; Card, Joan

**Subject:** Re: PRIORITY 1 Congressional Requests. Responses Needed ASAP

Rebecca,

Due to the size of the documents requested, we had to upload the documents into a OneDrive folder, to which I provided you access (I can grant access as required). A separate email will be sent directly from the OneDrive folder directing you to the documents. Once you're in the folder, you will be able to download the documents and send forward as appropriate.

ECEJ identified the documents requested that are pertinent to ECEJ (marked in Yellow), and can review documents EPR provides in response to other questions. ECEJ can also review any narrative answers drafted (e.g. responses to Requests # 35, 16, or 1).

The spreadsheet below has the SDMS numbers added for identification of the ECEJ documents. All request documents marked in Yellow have been placed in the OneDrive folder. Please let us know if you have any problems downloading the documents from the OneDrive site.

Priority 1 requests made to Region 8 ECEJ/EPR:

Request				Related to Request		Note
#	General Subject(s)	Requester	DOC Question	#	SDMS #	
9	Access Agreement	From House E&C Committee	C. Access agreement with owner of Gold King mine	34	1202210287541	Publically releasable - Final
					15592091202212	Publically releasable - Final
					1259890	
					1185920	
34	Access Agreement	Senator Boxer/ Senate EPW Committee	C. Access agreement between EPA and the owner of the Gold King Mine (San Juan Corp./Todd Hennis); any other agreements with San Juan Corp. or the previous owner, Gold King Mines Corp., concerning the Gold King Mine	9	1185413125988412598861259883	Publically releasable - Final
10	Consent Decree	From House E&C Committee	C. 1996 consent decree with predecessor of Kinross	38	1136165	

38

Publically  
releasable - Final

		Senator	1996 Consent Decree		
		Boxer/	between Sunnyside Gold		
		Senate C.	Corp. and State of		
	Consent	EPW	Levin Colorado Water Quality	10	1136165
	Decree	Committee	Division concerning the		
			Sunnyside Mine		
			Planning documents		
			relating to the work done		
		From	at the Gold King mine and		
7	Planning	House C.	any related investigation		
	Documents	E&C	Levin work at mines in the		
		Committee	Upper Animus Mining		
			District		

•□□□□□ These documents are attorney work product – release should be coordinated through HQ and OGC.

•□□□□□ Two of the search reports are in our record but were produced by BLM.

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		From			1559216
		House C.	Specifically identify all		
11	PRPs	E&C	Levin PRPs at the site		1054942
		Committee			

			Explain the relationship		
		From	between the work at the		
		House C.	Red and Bonita mine site		
16	Removal	E&C	Levin removal action and the	1	
	Action	Committee	Gold King mine.		

		From			
		House C.	Risk assessment (or any		
6	Risk	E&C	Levin related documents) for the		
	Assessment	Committee	Gold King mine		

			Confirm whether the work opening up Portal #7 at the Gold King Mine was part of the time-critical removal action at the Red & Bonita Mines, and was being done under the 9/24/14 TCRAM, whether there was a separate TCRAM for the Gold King; or whether EPA considered the work as part of the ongoing investigation of the Upper Animas Mining District site.
	Time-critical	Senator Boxer/ Senate EPW Committee	C. Levin
			HQ-EOC sent me the attached R8 fact sheet and funding authority memo. 1. I received an inquiry from HEC Committee staff asking why it was a "time-critical" removal action if we've been investigating at the site since the early 2000's. 2. Also, needs additional information on whether the "time-critical" portion refers to just Red Bonita or Gold King Mine also.
1	Time-Critical / Removal Action	From House E&C Committee	C. Levin
8	Engineering Report / Time-Critical	From House E&C Committee	C. Levin
			Engineering report for the Gold King mine (if not time-critical action)

Aaron Urdiales

RCRA/CERCLA Technical Enforcement Program

US EPA Region 8, ENF-RC

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